

8188. Misbranding of Benetol. U. S. * * * v. 229 Bottles of a Drug Product Known as Benetol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 11584. I. S. No. 8733-r. S. No. C-1589.)

On or about November 18, 1919, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of a certain quantity of a certain article, labeled in part "Benetol," remaining unsold in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped on or about August 11, 1919, by the Benetol Co., Minneapolis, Minn., and transported from the State of Minnesota into the State of Missouri, and charging misbranding of the article in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of a viscous emulsion of soap, alpha-naphthol, glycerin, and traces of volatile oil.

Misbranding of the article was alleged in substance in the libel in that certain statements regarding the curative or therapeutic effects of the article, appearing on the bottles, containers, cartons, and wrappers enclosing the article, falsely and fraudulently represented the article to be a remedy for germ diseases, gonorrhœa, gleet, and stricture, whereas, in truth and in fact, it was not effective.

On November 18, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

8189. Adulteration of shell eggs. U. S. * * * v. Henry Leroy Pope. Plea of guilty. Fine, \$5 and costs. (F. & D. No. 11605. I. S. No. 9434-r.)

On December 11, 1919, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Henry Leroy Pope, Jackson, Tenn., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about June 30, 1919, from the State of Tennessee into the State of Missouri, of a quantity of an article of food, to wit, 3 cases of shell eggs, which was adulterated.

Adulteration of the article was alleged in the libel in that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On May 26, 1920, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$5 and costs.

E. D. BALL, *Acting Secretary of Agriculture.*

8190. Adulteration and misbranding of saccharin. U. S. * * * v. 4 Cans of So-Called Saccharin. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10271. I. S. No. 6895-r. S. No. C-1210.)

On May 15, 1919, the United States attorney for the Eastern District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 4 cans of so-called saccharin, remaining unsold in the original unbroken packages at Pittsburg, Kans., alleging that the article had been shipped on or about October 8, 1918, by the Sethness Co., Chicago, Ill., and transported from the State of Illinois into the State of Kansas, and charging adulteration and misbranding under the Food and Drugs Act. The article was

labeled in part, "Cosco, Guaranteed under the Food & Drugs Act June 30, 1906. Sethness Co., Chicago, U. S. A. Directions Dissolve one pound saccharine in sufficient water to make one gallon."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of a mixture containing approximately 77.33 per cent of soluble saccharin, 5.49 per cent of insoluble saccharin, and 15.54 per cent of sodium bicarbonate.

Adulteration of the article was alleged in the libel for the reason that it was sold under and by a name recognized in the United States Pharmacopœia, and differed from the standard of strength, quality, and purity as determined by a test therein laid down, and for the further reason that its strength and purity fell below the professed standard and quality under which it was sold.

Misbranding of the article was alleged for the reason that the labeling borne by said can was false and misleading and calculated to lead the purchaser to believe that said product was pure saccharin, whereas, in truth and in fact, it was not. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On October 22, 1919, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the property be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

SI91. Misbranding of "3 Days" Cure. U. S. * * * v. 40 Bottles and 50 Bottles of "3 Days" Cure. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 10343, 10344. I. S. Nos. 15739-r, 15744-r. S. Nos. E-1413, E-1414.)

On May 20, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of a quantity of "3 Days" Cure, remaining unsold in the original unbroken packages at Richmond, Va., alleging that the article had been shipped on or about October 25, and May 25, 1918, by the "3 Days" Cure Co., Washington, D. C., and transported from the District of Columbia into the State of Virginia, and charging misbranding under the Food and Drugs Act, as amended.

Analyses of samples of the product by the Bureau of Chemistry of this department showed that it consisted of two preparations, a liquid and capsules. The liquid was composed essentially of zinc sulphate and boric acid, and the capsules contained powdered cubebs and balsam of copaiba.

Misbranding of the article was alleged in the libel in substance for the reason that the statements regarding the curative and therapeutic effects thereof, appearing on the labels and in the circulars accompanying the article, falsely and fraudulently represented that the article was a treatment, remedy, and cure for gonorrhœa and gleet, whereas, in truth and fact, it was not.

On October 15, 1919, no claimant having appeared for the property, default decrees of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

SI92. Misbranding of Pabst's Okay Specific. U. S. * * * v. 35 Bottles of Pabst's Okay Specific. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 10350. I. S. No. 15733-r. S. No. E-1417.)

On May 21, 1919, the United States attorney for the Eastern District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and con-